

DAVID L. ANDERSON (CABN 149604)  
United States Attorney

HALLIE HOFFMAN (CABN 210020)  
Chief, Criminal Division

MARISSA HARRIS (NYBN 4763025)  
JEFFREY D. NEDROW (CABN 161299)  
Assistant United States Attorneys

150 Almaden Boulevard, Suite 900  
San Jose, California 95113  
Telephone: (408) 535-5061  
FAX: (408) 4535-5066  
Email: jeff.nedrow@usdoj.gov  
marissa.harris@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	NO. 16-CR-00519-LHK
	)	
Plaintiff,	)	UNITED STATES' WITNESS LIST
	)	
v.	)	Pretrial Conference: February 5, 2020
	)	Time: 9:15 a.m.
JOHNNY RAY WOLFENBARGER,	)	Trial: March 17, 2020
	)	
Defendant.	)	The Hon. Lucy H. Koh
	)	
	)	

The United States hereby provides notice to the Court and to the defendant of the witnesses it may call in its case-in-chief at the trial. This list is intended to be inclusive. The government may not call all of the witnesses on this list. The government reserves the right to supplement this list as trial preparations progress and call rebuttal witnesses as necessary. The government will notify the defendant of any changes to its witness list.

1. Chris Marceau: FBI Special Agent who will testify regarding various aspects of the FBI's investigation into Wolfenbarger, including conducting and recording interviews with Wolfenbarger, reviewing and analyzing items obtained pursuant

UNITED STATES' WITNESS LIST  
NO. 16-CR-00519 LHK

1 to legal process issued during the investigation, management of evidence, and  
2 follow-up investigations conducted.

3 2. Jeff Yesensky: FBI Special Agent who will testify regarding the background of  
4 Operation Swift Traveler and how the FBI responded to Yahoo's CyberTipline  
5 Reports regarding Wolfenbarger's conduct after they were forwarded by  
6 NCMEC.

7 3. Ann Trombetta: FBI Special Agent who will testify regarding various aspects of  
8 the FBI's investigation into Wolfenbarger, including the drafting and submission  
9 of a search warrant for Wolfenbarger's e-mail account following receipt of a  
10 CyberTipline Report on Wolfenbarger, forwarded by NCMEC, management of  
11 evidence, and follow-up investigations conducted.

12 4. Chris Chappell: FBI Task Force Officer who will testify regarding identification  
13 of child victim depicted in images from "Jan\_Feb" child pornography series  
14 found in Wolfenbarger's e-mail account.

15 5. James Cox: Washoe County Sheriff's Office Detective who will testify regarding  
16 identification of child victim depicted in images from "Holly" child pornography  
17 series found in Wolfenbarger's e-mail account.

18 6. Monika Sokolowska: Police officer from Poland who will testify regarding  
19 identification of child victim depicted in images from "Leaf" child pornography  
20 series found in Wolfenbarger's e-mail account.

21 7. Anthony Imel: FBI forensic image examiner who will provide expert testimony  
22 regarding his examination of child pornography videos found in Wolfenbarger's  
23 e-mail account, offer opinions regarding the authenticity of the video files, and  
24 offer opinions regarding the technology and cost associated with faking moving  
25 images of real persons.

26 8. Sean Zadig: Senior Director of Cyber Defense Organization at Oath/Yahoo who  
27 will testify regarding his knowledge and oversight of Yahoo's internal  
28

investigations into live-streamed child sex abuse originating in the Philippines, including the identification of Wolfenbarger as a buyer of child sex abuse materials, the company's decision to conduct a content review of Wolfenbarger's e-mail account for terms of service violations, and Zadig's knowledge of the filing of CyberTipline Report 7405007 related to Wolfenbarger by Jeff Zingler. Zadig will also testify regarding the operation of Yahoo Chat and Yahoo messenger in interstate and foreign commerce.

9. Jeff Zingler: Former Yahoo employee who will testify regarding the filing of CyberTipline Report 7405007 regarding images of child pornography found in Wolfenbarger's email account after content review for term of service violations.
10. Marsha Morton or other Yahoo Custodian of Records: A custodian of records from Yahoo who will testify to the authenticity and foundation of Wolfenbarger's account and e-mail records provided in response to a search warrant and describe Yahoo's process for complying with search warrants. Ms. Morton/custodian may also testify regarding the operation of Yahoo Chat and Yahoo messenger in interstate and foreign commerce.
11. Western Union Custodial of Records: A custodian of records from Western Union who will testify regarding the authenticity of Western Union documents provided in response to legal process reflecting money transfers initiated by Wolfenbarger.

Dated: January 29, 2020

Respectfully submitted,

DAVID L. ANDERSON  
United States Attorney

\_\_\_\_\_/s/\_\_\_\_\_  
\_\_\_\_\_

MARISSA HARRIS  
JEFFREY D. NEDROW  
Assistant United States Attorneys